

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF BOSTON

John Paul SMITH
Plaintiff
Pro-Se

vs

Geo. Johnson's Wax, et al
Respondent

No.

04-40107 GAO

AFFIDAVIT AND OATH IN
FORMA PAUPERIS, PURSUANT
TO 28 USC 1915(a)

AND NOW, appearing before this Honorable Court, is John Paul SMITH, be he hereinafter be known and referred to as the Plaintiff, who presently is at bench in Pro-Se.

Plaintiff avers the below and ongoing factual information to support this motion.

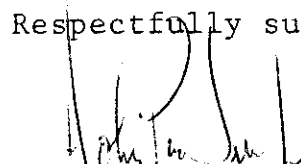
1. Plaintiff is presently incarcerated and unemployed.
2. Due to Plaintiff's handicap, i.e., no legs, he is prohibited even institutional employment that would afford him a small wage.
3. Plaintiff owns no real estate, nor does he derive any monies from pensions or other incomes.
4. Plaintiff "owns" one motor vehicle that is registered to his mother. Presently, the vehicle is offered for sale in order to pay his continuing legal defense upon appeal.
5. Plaintiff has a small inmate commissary account to

provide his toilet items, stamps, paper, pens and envelopes (copy attached hereto).

6. Plaintiff has no-one to advance him the required funds to prosecute this Civil Action at Law.

WHEREFORE, for all of the reasons set forth in the foregoing motion, Plaintiff respectfully prays this Court to grant his relief and enter an order granting pauperis status.

Respectfully submitted,



John Paul SMITH

Reg. No. 14456-087

FMC Devens

P.O. Box 879

Ayer, MA 01432

All Transactions



Inmate Reg #: 04456087
 Inmate Name: SMITH, JOHN
 Report Date: 06/24/2004
 Report Time: 3:02:50 PM

Current Institution: Devens FMC
 Housing Unit: P CC
 Living Quarters: P02-3411

<u>Date/Time</u>	<u>User Id</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Ref#</u>	<u>Payment#</u>	<u>Balance</u>
6/21/2004 11:48:06 AM	DEV3007	Sales	(\$195.90)	34		\$1,165.32
6/19/2004 7:35:44 PM	AMService	ITS Withdrawal	(\$60.00)	ITS0619		\$1,361.22
6/14/2004 5:30:59 PM	DEV3006	Sales	(\$64.35)	99		\$1,421.22
6/14/2004 2:19:44 PM	DEV2004	Local Collections	\$615.34	16588		\$1,485.57
5/24/2004 11:14:11 AM	DEV3006	Sales	(\$143.45)	5		\$870.23
5/10/2004 11:24:27 AM	DEV3006	Sales	(\$22.20)	11		\$1,013.68
5/9/2004 8:18:32 PM	AMService	ITS Withdrawal	(\$60.00)	ITS0509		\$1,035.88
5/6/2004 2:15:32 PM	DEV2007	Local Collections	\$275.00	14171		\$1,095.88
5/3/2004 2:30:39 PM	DEV2005	Local Collections	\$275.00	13957		\$820.88
5/3/2004 11:07:49 AM	DEV3007	Sales	(\$44.70)	4		\$545.88
4/30/2004 11:29:53 AM	DEV3007	Sales	(\$0.95)	25		\$590.58
4/28/2004 1:44:24 PM	DEV2007	Local Collections	\$250.00	13636		\$591.53
4/26/2004 11:21:18 AM	DEV3006	Sales	(\$103.20)	3		\$341.53
4/19/2004 11:26:13 AM	DEV3007	Sales	(\$170.25)	14		\$444.73
4/5/2004 5:16:42 PM	DEV3006	Sales	(\$7.60)	63		\$614.98
4/1/2004 4:33:03 PM	AMService	ITS Withdrawal	(\$60.00)	ITS0401		\$622.58
3/23/2004 11:25:39 AM	DEV3002	Sales	(\$302.10)	14		\$682.58
3/17/2004 7:45:56 PM	AMService	ITS Withdrawal	(\$10.00)	ITS0317		\$984.68
3/11/2004 4:55:08 PM	AMService	ITS Withdrawal	(\$20.00)	ITS0311		\$994.68
3/10/2004 1:46:33 PM	DEV2004	Local Collections	\$1,000.00	10571		\$1,014.68
3/9/2004 5:39:12 PM	DEV3006	Sales	(\$29.30)	54		\$14.68
3/7/2004 7:58:12 PM	AMService	ITS Withdrawal	(\$10.00)	ITS0307		\$43.98
3/5/2004 11:24:55 AM	DEV3002	Sales	(\$91.80)	20		\$53.98
3/4/2004 4:50:08 PM	AMService	ITS Withdrawal	(\$20.00)	ITS0304		\$145.78
3/1/2004 11:15:59 AM	DEV3006	Sales	(\$189.25)	7		\$165.78
2/27/2004 1:29:10 PM	DEV2004	Local Collections	\$355.03	9804		\$355.03

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